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13 Attorneys for Petitioner
14 Bayside Advisory LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 CASE NO.: 4:20-mc-80214-VC

19 IN RE DMCA § 512(h)
20 SUBPOENA TO TWITTER, INC.

21 **DECLARATION OF ROBERT E. ALLEN**
22 **IN SUPPORT OF PETITIONER BAYSIDE**
23 **ADVISORY LLC'S OPPOSITION TO**
24 **TWITTER'S MOTION FOR DE NOVO**
25 **DETERMINATION**

26 Hearing Date: May 12, 2022
27 Time: 1:00 p.m.
28 Judge: Hon. Vince Chhabria
Courtroom 4, 17th Floor

DECLARATION OF ROBERT E. ALLEN

I, Robert E. Allen, declare as follows:

1. I am a partner with the law firm of Glaser Weil Fink Howard Avchen & Shapiro LLP, counsel of record for Bayside Advisory LLC (“Bayside”). I have personal knowledge of the facts contained herein and, if called upon to do so, could and would testify competently thereto.

2. I submit this declaration in support of Petitioner Bayside Advisory LLC’s Opposition to Twitter’s Motion for De Novo Determination.

3. Attached hereto as **Exhibit A** are true and correct copies of tweets posted by the account @CallMeMoneyBags between March 5, 2021 and October 11, 2021. Most of these tweets remain accessible at <https://twitter.com/callmemoneybags> as of the morning of March 11, 2022.

I declare under penalty of perjury under the laws of the State of California and United States of America that the foregoing is true and correct.

Executed on March 11, 2022 at Los Angeles, California.

/s/ Robert E. Allen
Robert E. Allen

Glaser Weil

Exhibit A

All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

Time period covering all filed arguments in Judge Ryu's review of Motion to Compel/Motion to Quash, during which time @CallMeMoneyBags activity continued despite Twitter's claims that MTC would chill speech.



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MrMoneyBags @CallMeMoneyBags · Mar 5, 2021

...

"I do not respect the SEC." Musk also tweeted a suggestive jab at the commission last July: "SEC, three letter acronym, middle word is Elon's."

[@elonmusk](#) bringing the BDE to the SEC.



[nypost.com](#)

Elon Musk says SEC probe of Dogecoin tweets would be 'awesome'

The billionaire Tesla chief appeared to welcome rumors that the agency was probing his Twitter posts about Dogecoin, his favorite meme-...



1



836



All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

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MrMoneyBags Retweeted



Sahil Kapur @sahilkapur · Mar 11, 2021

...

The new Covid law contains \$350 billion for state and local governments — but there's a very important restriction on that money: It can't be used to cut taxes.

The statute has teeth: It forces states to give a full accounting. If they break the rule? They pay the money back.

<p>“(A) IN GENERAL.—A State or territory shall not use the funds provided under this section or transferred pursuant to section 603(c)(4) to either directly or indirectly offset a reduction in the net tax revenue of such State or territory resulting from a change in law, regulation, or administrative interpretation during the covered period that reduces any tax (by providing for a reduction in a rate, a rebate, a deduction, credit, or otherwise) or delays the imposition of any tax or tax increase.</p>	<p>“(e) RECOUPMENT.—Any State, territory, or Tribal government that has failed to comply with subsection (c) shall be required to repay to the Secretary an amount equal to the amount of funds used in violation of such subsection, provided that, in the case of a violation of subsection (c)(2)(A), the amount the State or territory shall be required to repay shall be lesser of—</p> <p>“(1) the amount of the applicable reduction to net tax revenue attributable to such violation; and</p> <p>“(2) the amount of funds received by such State or territory pursuant to a payment made under this section or a transfer made under section 603(c)(4).</p> <p>“(f) REGULATIONS.—The Secretary shall have the authority to issue such regulations as may be necessary or appropriate to carry out this section.</p>
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77

883

3,233



[Show this thread](#)

All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

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MrMoneyBags @CallMeMoneyBags · Apr 7, 2021

...

Former Billionaire Brian Sheth makes [@Forbes](#) ' "Former Billionaire" List 2021.

In the burgeoning world of private equity, Vista Equity Partners cofounder Brian Sheth lost his billionaire status when he left the firm after two decades.

[#privateequity](#)



[forbes.com](#)

Kylie Jenner, West Virginia Governor Jim Justice And 59 Others Who Lo...

Just 61 people across the globe saw their fortunes dip below \$1 billion since last year, the smallest number in a decade, and another 23 ...



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MrMoneyBags @CallMeMoneyBags · Apr 8, 2021

...

"I foolishly had a consensual affair with Ms. Ganieva that ended more than seven years ago," Black said in his statement. "Any allegation of harassment or any other inappropriate behavior towards her is completely fabricated." - Leon Black

[#PrivateEquity](#)



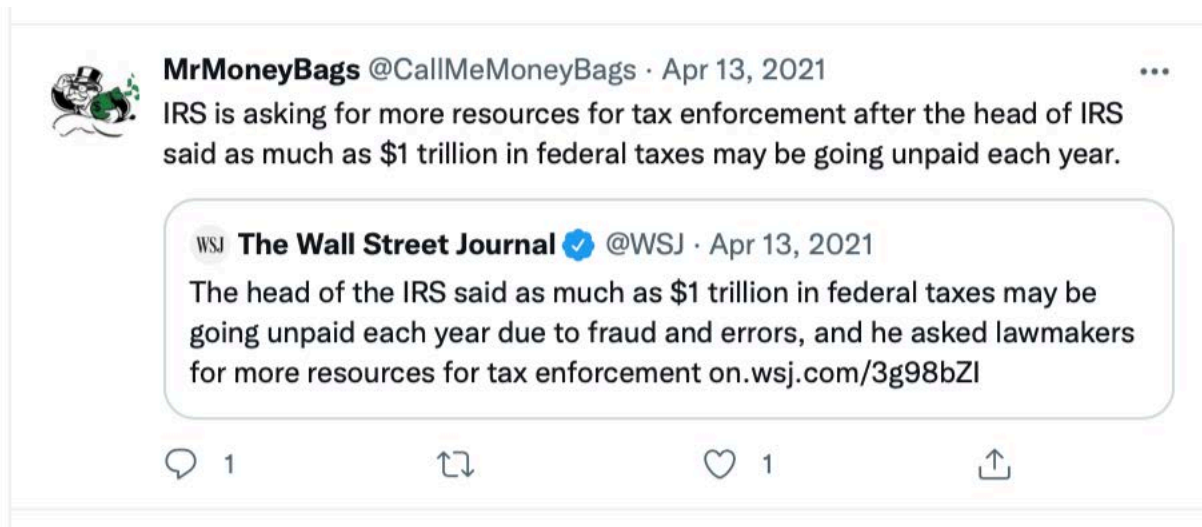
[nypost.com](#)

Leon Black's surprise Apollo Global exit came amid sexual harassment...
Leon Black's surprise exit from the helm of Apollo Global Management last month came just days after several directors on the private-equity ...



All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

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MrMoneyBags @CallMeMoneyBags · Apr 17, 2021

...

Carlos Kepke is scheduled to be arraigned April 22nd. According to the announcement, he faces 5 years in prison on one conspiracy count and 3 years on each of 3 counts of preparing false tax returns. He's 81 years old.

[#tax](#) [#crimes](#) [@Forbes](#)



forbes.com

Tax Attorney Facing Prison For Allegedly Helping Billionaires Robert Smi...

It's a new legal development for Vista Equity boss Smith and his onetime mentor Brockman, already accused of the biggest tax evasion in U.S. ...



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436



All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

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MrMoneyBags @CallMeMoneyBags · Apr 19, 2021

...

Bob Kraft exiting Apollo's Board with Leon as the saga continues...

[#Apollo](#) [#LeonBack](#) [#Apollo](#) [#PrivateEquity](#) [#JeffreyEpstein](#)



thejewishvoice.com

Robert Kraft Steps Down from Apollo Board Amid Epstein Controversy ...

By: Ellen Cans Robert Kraft resigned from the board of Apollo Global Management, the private-equity giant which has already seen its co-...



All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

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MrMoneyBags @CallMeMoneyBags · Apr 21, 2021

...

Private Equity Executive Awaiting Trial In College Admissions Scandal Sues Netflix Over 'Operation Varsity Blues' Documentary.

[#varsityblues](#) [#privateequity](#) [#victims](#)



oxygen.com

Father Awaiting Trial In College Admissions Scandal Sues Netflix Over '...
A Massachusetts private equity and real estate executive ensnared in the so-called "Varsity Blues" college admission case filed a lawsuit against ...



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MrMoneyBags @CallMeMoneyBags · May 1, 2021

...

Josh Harris gets put in his place for crossing Big Bad Leon Black.

[#leonblack](#) [#apollo](#) [#privateequity](#) [#marcrowan](#) [#chess](#) [#out](#) [#epstein](#)



[bloomberg.com](https://www.bloomberg.com)

A Brawl Between Billionaire Founders at Apollo Sidelines One of Its Own
Members of the team were heard humming their response: "Ding-Dong!
the Witch is Dead" from "The Wizard of Oz."



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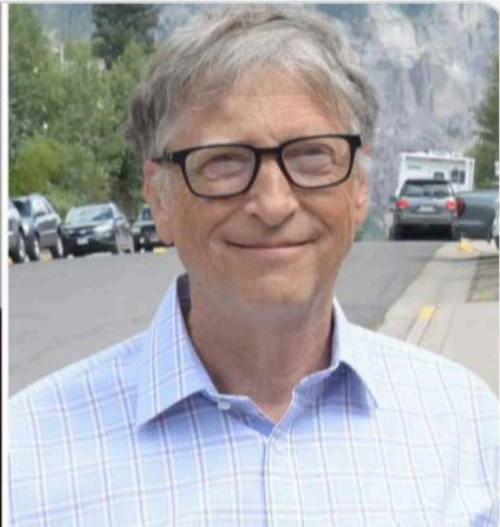
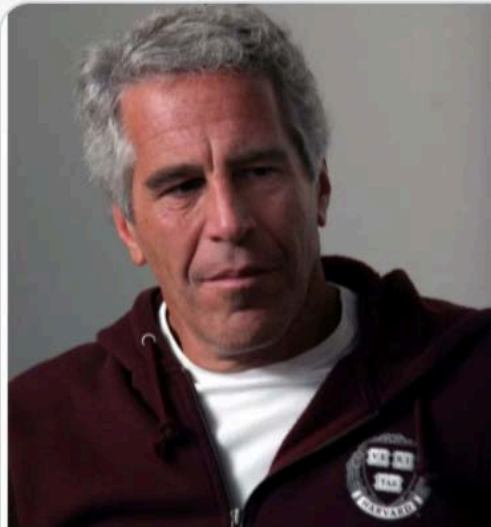


MrMoneyBags @CallMeMoneyBags · May 10, 2021

...

Billy Gates the latest to get bit by the Epstein bug.

[#BillGates](#) [#Epstein](#) [#LawyerUp](#) [#MelindaGetsPaid](#) [#SingleBill](#)



[newsweek.com](https://www.newsweek.com)

A timeline of Bill Gates and Jeffrey Epstein's relationship

Bill and Melinda Gates announced their divorce last week and The Wall Street Journal reports that the separation of the 25-year marriage has ...



All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

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MrMoneyBags @CallMeMoneyBags · May 10, 2021

...

"His lifestyle is very different and kind of intriguing although it would not work for me," Mr. Gates emailed colleagues in 2011, after his first get-together with Mr. Epstein.

[#BillGates](#) [#Epstein](#) [#Lifestyle](#) [#Intriguing](#) [#ManofMystery](#) [#DivideBy2](#)



nytimes.com

Bill Gates Met With Jeffrey Epstein Many Times, Despite His Past (Publi...
Mr. Gates has minimized his ties to Mr. Epstein. But a Times investigation reveals they had a closer relationship than previously known.



All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

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MrMoneyBags @CallMeMoneyBags · May 10, 2021

...

Taxes have long been a key element of the business of private equity. But while past tax regime changes have been big moments for the industry, that might not be the case for the Biden administration's proposals.

[#privateequity](#) [#taxes](#) [#carriedinterest](#)



wsj.com

The Future for Private-Equity Stocks Doesn't Rest on Taxes

Tax policies have often been a major driver for the private-equity industry. But the state of affairs today isn't the same.



All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

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MrMoneyBags @CallMeMoneyBags · May 16, 2021

Bill Gates getting put on blast for sexual relationships with Microsoft employees 20 years ago. Gates met with Leon Black through Jeff Epstein. Grab the popcorn to watch this one play out.

[#BillGates](#) [#Epstein](#) [#LeonBlack](#) [#Microsoft](#) [#RichWives](#)



wsj.com

WSJ News Exclusive | Bill Gates Left Microsoft Board Amid Probe Into P...
Some Microsoft directors began an investigation in 2019 into a woman's allegations of a prior sexual relationship with Bill Gates. His ...



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↻ MrMoneyBags Retweeted



Edwin Dorsey @StockJabber · May 18, 2021

...

Reporters should start looking at ties between Epstein and Silicon Valley leaders like Eric Schmidt.

Here's a short thread on Schmidt's ties to the Epstein network.



💬 28

↻ 178

❤️ 759



[Show this thread](#)

All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

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MrMoneyBags @CallMeMoneyBags · Jun 2, 2021

...

Guo Wengui has become an influential voice among the Chinese diaspora, exploiting its distrust of Beijing's state media. His conspiracy theories are seductive, as is his cheerful persona (when he's not trolling).



[bloomberg.com](https://www.bloomberg.com)

Can a Fugitive Chinese Billionaire Achieve His American Dream?

Guo Wengui's combative personality has made him a social media sensation among the Chinese diaspora. But does he really have a good ...



All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

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Orlando Bravo ✓ @OrlandoBravoTB · Jun 25, 2021

...

📍 With the @thomabravo team today in Wynwood. Our #Miami office is officially OPEN. Let's gooooo!!!!!!! #MiamiTech



💬 7

↻ 4

❤️ 81



MrMoneyBags @CallMeMoneyBags · Jun 28, 2021

...

Nice.



All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

Time period covering all filed arguments in Judge Ryu's review of Motion to Compel/Motion to Quash, during which time @CallMeMoneyBags activity continued despite Twitter's claims that MTC would chill speech.



MrMoneyBags @CallMeMoneyBags · Jun 28, 2021

...

Bets on a Scandal-Plagued Gambling House Are Piling Up. The fight for the crown jewel of the Australian gambling scene is heating up.

[#JamesPacker](#) [#CrownResorts](#) [#Scandal](#) [#OhBoy](#) [@MirandaKerr](#)



wsj.com

Bets on a Scandal-Plagued Gambling House Are Piling Up

Oaktree Capital ups the ante for Australia's Crown Resorts, which is struggling to open a glitzy new casino overlooking Sydney Harbor.



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MrMoneyBags @CallMeMoneyBags · Jun 28, 2021



TDR Capital is making moves.

[#PrivateEquity](#) [#TDRCapital](#) [#Asda](#) [#CoachMakers](#)



[ft.com](#)

Inside the secretive private equity firm behind the £6.8bn Asda buyout
With the help of US hedge fund manager Paul Tudor Jones, two bankers built TDR into an 'old world' force



All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

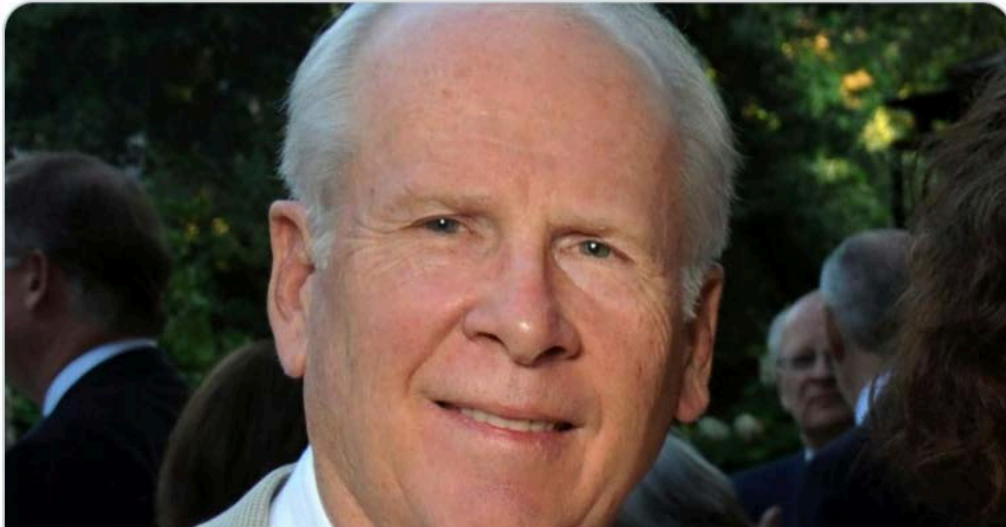
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MrMoneyBags @CallMeMoneyBags · Jun 28, 2021



Do I hear a shoe dropping?



[bloomberg.com](https://www.bloomberg.com)

Billionaire's Fishing Guide Sought as Witness in Tax Fraud Case

U.S. prosecutors who accuse billionaire Robert Brockman of the largest tax-evasion case in history are seeking to rebut his claims of dementia ...



↻ 1

♥ 1,650



MrMoneyBags @CallMeMoneyBags · Jul 8, 2021



Things just got a lot more interesting.

[#BobBrockman](#) [#VistaEquityPartners](#) [#PrivateEquity](#)



[bloomberg.com](https://www.bloomberg.com)

Billionaire Deemed Competent for Trial in Record T...

Three court-appointed experts determined that billionaire Robert Brockman is competent to stand ...



↻

♥ 820



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MrMoneyBags @CallMeMoneyBags · Jul 8, 2021

...

I am fairly certain this has been the headline of at least one article every year since 2006.

[#PrivateEquity](#) [#Tax](#) [#Biden](#) [#WSJ](#)



[wsj.com](#)

Private-Equity Firms Search for Creative Ways to Avoid Higher Taxes

Private-equity firms are brainstorming for ways to avoid a big tax increase if Congress follows through on threats to eliminate a prized tax ...



MrMoneyBags @CallMeMoneyBags · Jul 8, 2021

...

Astonishing.



TIME @TIME · Jul 8, 2021

City heat is worse if you're not rich or white. The world's first heat officer wants to change that

[ti.me/2TPI80F](#)



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MrMoneyBags @CallMeMoneyBags · Sep 10, 2021

...

Leon Black says he paid Ganieva \$100,000 a month for 15 years not to discuss their 6+ year relationship, after she allegedly demanded \$100 million. The payments eventually added up to \$18 million and stopped after Ganieva tweeted about Black in March.



[dailymail.co.uk](https://www.dailymail.co.uk)

Leon Black denies he flew model to Florida to have sex with Epstein
Leon Black says model Guzel Ganieva's claims that he flew her to Florida in 2008 for a possible sexual encounter with late sex offender Jeffrey ...



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MrMoneyBags @CallMeMoneyBags · Sep 10, 2021

...

Jury selection started this week for the case against John B. Wilson, 62, a private equity investor, and Gamal Abdelaziz, 64, a former executive for Wynn Resorts Ltd.

[#privateequity](#) [#scandal](#)



[bloomberg.com](https://www.bloomberg.com)

College Scandal's Holdout Parents Aim to Put Admissions on Trial

The "Varsity Blues" sting exploded into public view in 2019, with dozens of parents across the U.S. arrested for allegedly paying hundreds of ...



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MrMoneyBags @CallMeMoneyBags · Oct 7, 2021

...

The secret owners of more than 1,500 UK properties bought using offshore firms have been uncovered by a BBC investigation.



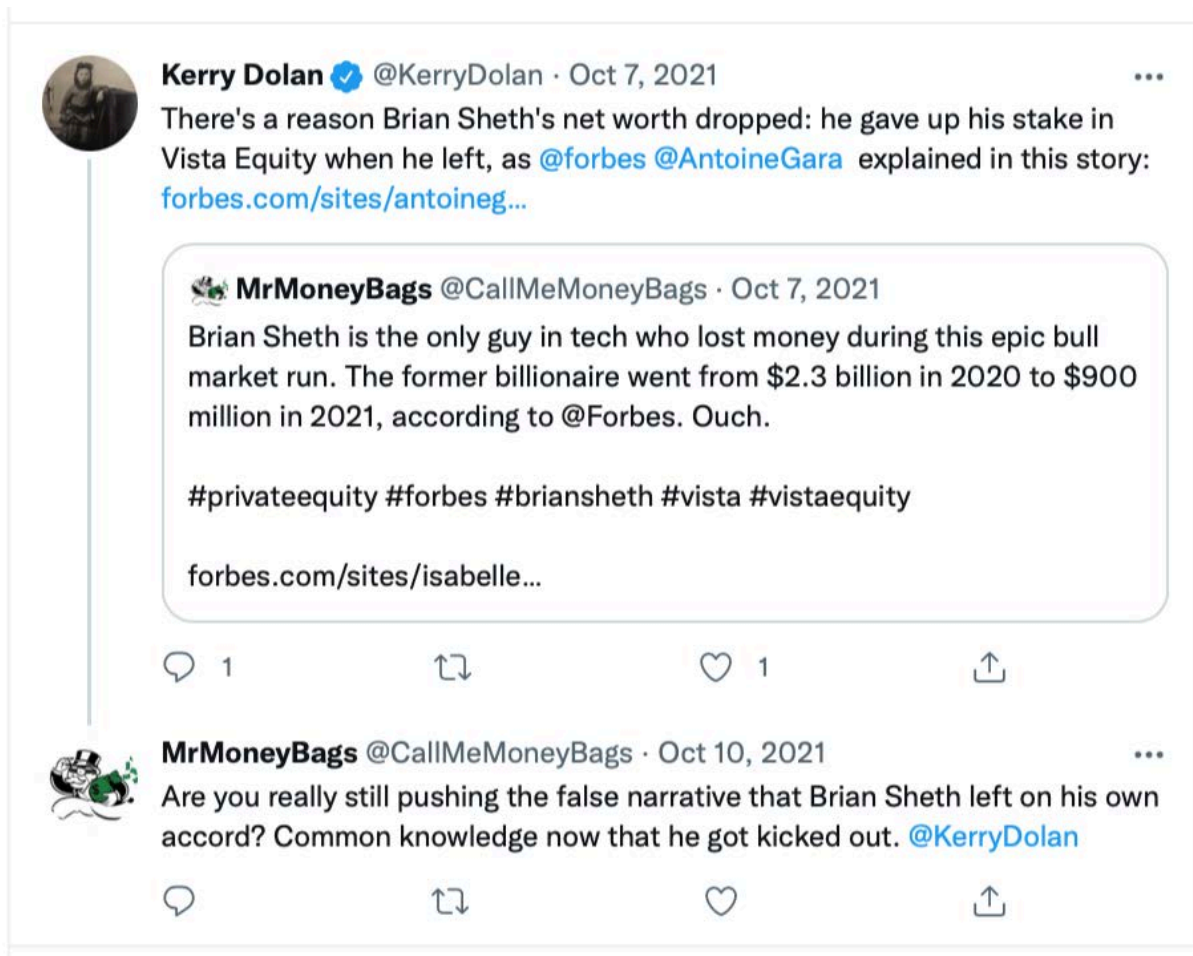
bbc.com

Pandora Papers: The secret owners of UK property worth billions
Foreign politicians and people accused of corruption have bought homes through offshore firms.



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MrMoneyBags @CallMeMoneyBags · Oct 7, 2021

...

Brian Sheth is the only guy in tech who lost money during this epic bull market run. The former billionaire went from \$2.3 billion in 2020 to \$900 million in 2021, according to @Forbes. Ouch.

[#privateequity](#) [#forbes](#) [#briansheth](#) [#vista](#) [#vistaequity](#)



forbes.com

Oprah, Trump And 49 Other Billionaires Who Dropped Out Of The Forb...
A flock of newcomer entrepreneurs pushed famous faces, including Donald Trump and Oprah Winfrey, off this year's list of America's riches...



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MrMoneyBags @CallMeMoneyBags · Oct 10, 2021



Private equity is as diverse as a Trump rally in Florida.

[#PrivateEquity](#) [#Diversity](#) [#BroCulture](#)



[wsj.com](#)


Investors Scrutinize Private Equity's Diversity Efforts

More than a year after the murder of George Floyd while in police custody, many private-equity firms still struggle to achieve substantial ...




All @CallMeMoneyBags "Tweets & Replies" Activity between March 5, 2021 – October 11, 2021.

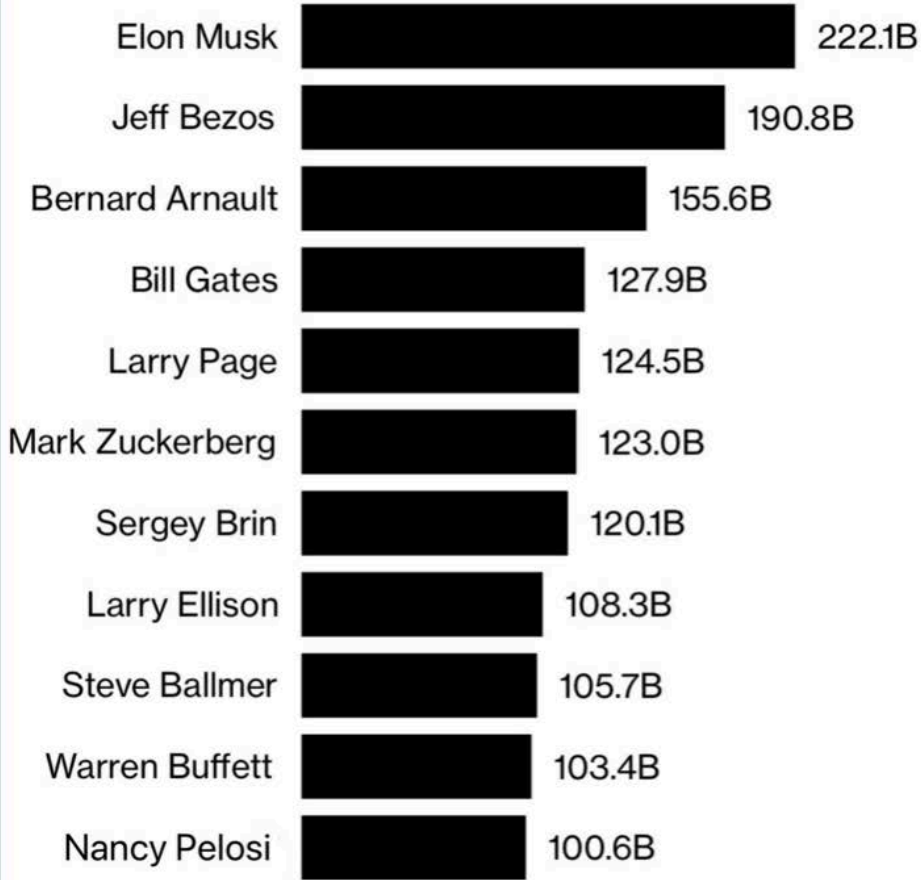
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 **MrMoneyBags** @CallMeMoneyBags · Oct 10, 2021

Nancy is the new Buffett.

 **Kenny Lay (Parody)** @EnronChairman · Oct 9, 2021

Congrats Nancy on making the \$100 billion club (@markets)



Elon Musk	222.1B
Jeff Bezos	190.8B
Bernard Arnault	155.6B
Bill Gates	127.9B
Larry Page	124.5B
Mark Zuckerberg	123.0B
Sergey Brin	120.1B
Larry Ellison	108.3B
Steve Ballmer	105.7B
Warren Buffett	103.4B
Nancy Pelosi	100.6B

1 4

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